

**ENFORCEMENT CONFIDENTIAL – FOIA Exempt**

**MEMORANDUM**

Site: Bi-State/I Gurman  
Terra Haute, Indiana

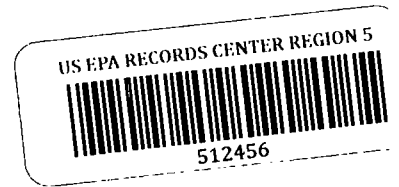
Date: December 8, 2003

From: Margaret Herring, Civil Investigator

To: File

Date and Time of Call: December 4, 2003, 10:30 a.m.

Spoke with: Dave Carson  
Consolidated Waste  
Telephone: 812 464-4446



Dave Carson called Carl Cuffman and left a voice mail message asking that U.S. EPA call him. He had questions about the information request sent to Consolidated Waste. Carl cleared his voice mail messages and called me leaving a message asking that I call Carson.

I called Dave Carson. Carson said that he had received the information request letter sent to Consolidated Waste. Carson had read the site history which did not specify either the nature of the contamination or its location on the property identified as the Site.

Carson said that in 1990 he had sold Bi-State to a Valvoline subsidiary. At that time an environmental inspection/survey was carried out. This inspection/survey identified no environmental problem. Bi-State operated at a property in Terra Haute and the business office was at that location. Carson owns and has owned several businesses. He operates his businesses from an office in Evansville, Indiana and this was true of Bi-State as well.

Carson said that his businesses maintain records as required by the Internal Revenue Service. He does not have Bi-State records that would provide the information that the information request solicited. Carson dissolved the Bi-State corporation after Valvoline purchased the Terre Haute property. Carson retained records of the property sale including, Carson believes, the environmental inspection/survey. Staff is looking for these records.

I told Carson that I had no information about what or where the contaminants are. I will refer his inquiry to the Remedial Project Manager handling the Bi-State Site. Carson noted that adjacent and across the street were businesses that could be the source of contaminants that EPA is associating with the Bi-State facility. Carson said that Bi-State was an oil recycling facility which converted waste oil to grease for automotive use. Carson has always operated his businesses carefully to avoid spills or contamination, and carefully complied with all federal and

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Site: Bi-State

Terre Haute, Indiana

Memorandum of Call with David Carson

Date of Call: December 5, 2003

state regulations governing this activity. He carried environmental pollution insurance policies and that no claim has been filed against any of the policies.

Carson said that he prefers to work directly with EPA and not use attorneys as an intermediary. I told Carson that I would inform the RPM of his call and ask her to return his call. I told Carson that no later than Monday morning I would call him with the name and phone numbers of the RPM and attorney. Carson said that he was leaving Evansville in the early afternoon. He will call back Tuesday, December 9, if EPA has not called him.

I told Carson that the attorney assigned to the Site is Marcy Toney. The near-by businesses that Carson identified are the subject of EPA's investigation.

December 8, 2003, Monday, 10:30 a.m. I called Carson and left a voice mail message with the names and telephone numbers of the RPM and attorney.

RPM: Jena Sleboda Telephone: 312 353-1263

Attorney: Marcy Toney Telephone: 312 886-3186

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**CONVERSATION RECORD**

**SUBJECT:** Consolidated Recycling Info. Request      **DATE:** 12/9/03  
re: Bi-State and I. Gurman sites  
**TIME:** 10:45 a.m.

**PERSON IN CONTACT WITH:** Dave Carson      **ORGANIZATION:** Consolidated Recycling Co.  
**PHONE #:** (812)464-4446 x225

**TYPE: TELEPHONE (x)**      **CONFERENCE ( )**      **VISIT ( )**  
**INCOMING ( )**      **LOCATION:**  
**OUTGOING (x)**

**SUMMARY**

I called Dave Carson after he contacted Margaret Herring. His first questions were what prompted this letter, what contaminants where the issue, and where the contaminants were located. I told him that the private drinking water provider next to the sites had chlorinated solvents show up in their groundwater wells, which prompted a site inspection/investigation by IDEM. I told him that both groundwater and soil samples had been taken from locations on the properties of Bi-State, I. Gurman & Sons, and Machine Tool Service and there were detects for PCE, TCE, 1,1,1-TCA and Carbon Tetrachloride.

He then expressed concern because he did not know of any Meridian Laboratory Services that the letter was sent to in care of. He stated that he felt he could not respond to the questions because he did not know of and was not part of Meridian Laboratory Services, and also because Consolidated Recycling did not own the property at Bi-State at any time; that it was actually Consolidated Refineries, which dissolved in 1990 and was also a company he owned. Mr. Carson felt that he should be sent a new letter addressed to the correct company that owned the property, or to the "former property owner of Bi-State" so there will not be any issues of him responding to 1) things he has no knowledge of and 2) misrepresenting who he is.

He then went on to explain the history of the site as he remembered it and also issues related to his ownership of the site:

He said he did not know why the U.S. EPA did not know the correct owners of the site now and historically, because it is all public record that is located at the Terre Haute courthouse. He then explained that as far as he could remember, Beshaw Texaco owned the property in the 1940's and through about 1982, when Machine Tool Service bought the property. Dave Carson and his brother Paul bought the place at some point after that, and the site was owned by Consolidated Refineries, and Consolidated Recycling operated on the site. Consolidated Recycling collected used oil at the site and used the recycled oil at the Consolidated Refineries plant in Troy, Indiana. Dave and Paul Carson where the owners of both companies, and operated at the site from approximately March 1982 until January 1983. Consolidated Refineries went out of business in the early 1990's, when the site was sold to Valvoline. Valvoline owned the company First Recovery, that operated on the site after Valvoline purchased it. Mr. Carson believes that Valvoline then sold the property and First Recovery to Safety Kleen around 1999. Mr. Carson does not know who currently owns the site.

Mr. Carson stated that all records, according to policy of Consolidated Recycling and Consolidated Refineries, relating to the operations of those companies have been destroyed, except for the corporate record book. He stated that because of this, he could not produce any records about who the facility received used oil from when

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they operated. He stated that in the 1980's IDEM had a program requiring permits for used oil facilities, called SPC-15 or SPC-17, and also requiring monthly reporting to IDEM. He suggested calling IDEM to locate those records. Mr. Carson also stated that they were a non-RCRA facility, and did not accept anything outside the regulations of used oil to the company's knowledge. He stated that they had a few inspections by IDEM when Consolidated Recycling was operating there. He also stated that they did have an SPCC plan at the time, but cannot recall and does not have any records indicating how many times they implemented the SPCC plan. He suggested contacting Valvoline for information as he thought they probably performed a site inspection before beginning to operate on the site.

Finally, he stated that he did not know the Gurman's personally, and that they did not have any business exchanges. Mr. Carson only knows that they recycled drums, but other than that, he has no knowledge of their practices.

I told Mr. Carson that I would look into if there would be a new letter issued or what should follow next and that either I or someone else would contact him with an answer. He acknowledged that at some point he would probably have to retain an attorney, but that he would like to clear up misunderstanding before it came to that. This concluded the conversation.